

Exhibit 17

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO. MID-7385-16AS

STEPHEN LANZO, III, AND KENDRA)
LANZO,)
)
Plaintiffs,)
) TRIAL
v.)
) (VOLUME XXI)
CYPRUS AMAX MINERALS COMPANY,)
et al.,)
)
Defendants.)
)

Thursday, March 1, 2018
9:00 a.m.
Middlesex County Courthouse
New Brunswick, New Jersey

B E F O R E:
H O N O R A B L E A N A C. V I S C O M I, JSC

REPORTED BY: ANDREA F. NOCKS, CCR, CRR

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JULIE PIER

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EXAMINATION BY:

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MR. SATTERLEY

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EXHIBITS

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1 THE COURT: Good morning, everyone.

2 We are here outside the presence of
3 the jury. Today is March 1st, 2018, in the trial of
4 the matter of Stephen and Kendra Lanzo versus Cyprus
5 Amax Minerals Company, et al., Docket Number
6 7385-16.

7 Appearances, please, for the record.

8 MR. MAIMON: Good morning, your
9 Honor. Moshe Maimon and Joe Satterley and Denyse
10 Clancy for the plaintiffs.

11 THE COURT: Good morning.

12 On behalf of the defendants Cyprus
13 Amax Minerals and Imerys Talc America Incorporated.

14 MR. McMEEKIN: Good morning, your
15 honor. John McMeekin, Scott Elder and Eric Falk on
16 behalf of Imerys.

17 THE COURT: Thank you. Quite a
18 presence and an entrance that you made.

19 MR. McMEEKIN: Timing is everything,
20 your Honor.

21 THE COURT: On behalf of the
22 defendants Johnson & Johnson and Johnson & Johnson
23 Consumer Incorporated.

24 MR. BROCK: Yes, your Honor. Mike
25 Brock with Stacey Pagonis, Kimberly Branscome and

1 A. Correct.

2 Q. And I want to talk a little bit about
3 competing explanations then.

4 First of all, you're aware, are you
5 not, that the asbestos insulation in the basement of
6 the home Mr. Lanzo grew up in was abated for
7 asbestos, correct?

8 A. After he left the home, yes.

9 Q. You do understand there was an
10 abatement in the basement, correct?

11 A. After he had left, yes.

12 Q. So I want to just look briefly at a
13 timeline slide that we've talked about in this case
14 a little bit. If we could look at DD 47.

15 And as you mentioned, the asbestos
16 abatement that took place with regard to Mr. Lanzo's
17 home occurred on June the third, 2002.

18 Do you agree with that?

19 A. I -- I know it was after he had left.
20 I don't know the exact date. I have no reason to
21 dispute that.

22 Q. I'll just ask you to assume that
23 that's the date when that occurred. Will you work
24 with me on that?

25 A. Sure.

1 Q. And in the records that we have from
2 the company that did the abatement, they record that
3 they removed 60 linear feet of exposed asbestos pipe
4 insulation from the basement.

5 Have you looked at the abatement
6 record itself to see the quantity of material that
7 was removed from the asbestos pipe?

8 A. Yes.

9 Q. Can you confirm that it was 60 linear
10 feet?

11 A. That's my recollection.

12 Q. Now, you're aware of the fact, are
13 you not, that the home at 4 Yale Terrace was
14 constructed back in the early 1930s, correct?

15 A. That's what the description of it
16 was. I don't -- I know it was pre war. I don't
17 know the exact date.

18 Q. And that the family moved into the
19 home in 1983 after Mr. Lanzo's mom remarried.

20 Do you understand that?

21 A. Yes.

22 Q. And did you further understand that
23 Mr. Lanzo was reported to have spent time in the
24 basement during the period of time that he was
25 living in the home using the basement as a family

1 room?

2 A. That he -- I believe he mentioned
3 that he spent time in the basement.

4 Q. Did you understand that in the
5 basement was a family room with a TV and couches,
6 and as well there was a laundry setup in the
7 basement, there was a bathroom in the basement, and
8 also a work area that Mr. Lanzo's stepfather,
9 Mr. McMillan, utilized?

10 A. Yes.

11 Q. In relation to the basement area and
12 the 60 linear feet of exposed asbestos pipe
13 insulation that was removed from the basement, do
14 you know where that pipe was located in the
15 basement?

16 A. I don't know the exact location of
17 it. No. I don't know the exact location.

18 Q. Were you told that there was
19 asbestos-containing material in the family room;
20 that is, in the area where the couch and the TV were
21 located?

22 MR. MAIMON: Objection.

23 THE COURT: Sidebar.

24 (Sidebar.)

25 MR. MAIMON: Your Honor, there's no

1 CERTIFICATE OF OFFICER

2
3 I CERTIFY that the foregoing is a true
4 and accurate transcript of the testimony and
5 proceedings as reported stenographically by me at
6 the time, place and on the date as hereinbefore set
7 forth.

8 I DO FURTHER CERTIFY that I am neither
9 a relative nor employee nor attorney or counsel of
10 any of the parties to this action, and that I am
11 neither a relative nor employee of such attorney or
12 counsel, and that I am not financially interested in
13 the action.

14
15 

16 ANDREA NOCKS, CCR, CRR

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